

## **Minutes of the Land Use, Parks and Environment Committee - September 13, 2005**

The meeting was called to order at 9:05 a.m. by Chair Kolb.

**Present:** Chair Walter Kolb, County Board Supervisors Kathleen Cummings, Pauline Jaske, Bill Kramer, Vera Stroud; **Absent:** Scott Klein and Dan Pavelko

**Staff Present:** Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Senior Planner Kathy Moore

**Public Present:** Brian Depies of Bielinski Homes (appearing for 160-O-039), Scott Bence and David Donoian (both appearing for 160-O-045)

### **Executive Committee Report by Walter Kolb**

Kolb reviewed items that were reviewed and/or considered at the last meeting on Monday, September 12.

### **Future Agenda Items**

Schedule a committee meeting, after the 2005 budget process has concluded, at the Retzer Nature Center with a tour of the facility.

### **Consider Proposed Ordinance: 160-O-039 Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map of the City of Pewaukee by Conditionally Rezoning Certain Lands Located in Part of the NW ¼ and SW ¼ of the SE ¼ of Section 18, T7N, R19E, City of Pewaukee, Waukesha County, Wisconsin, from the A-1 Agricultural District to the R-3 Residential District (SVZ-1568)**

Moore pointed out the location of the rezoning with the proposed land use for a 58-lot residential subdivision. The properties contain approximately 12 acres within the former Waukesha County Shoreland and Floodland Protection Ordinance jurisdictional limits and a total of approximately 35 acres. Moore continued on by reading the Staff Recommendation of 6/30/05, the Staff Recommendation of 8/4/05, and Exhibit "A" (letter from City of Pewaukee Planner Harlan Clinkenbeard to Dick Mace of the county). Moore said the Planning staff is recommending approval, subject to two conditions as outlined in the ordinance. Although they do not necessarily agree with the findings of the City of Pewaukee Plan Commission, they feel the proposed use of this site for a residential subdivision, served with municipal sewer and water, is an appropriate land use for this area and is consistent with the Waukesha County Development Plan and the City's Land Use Plan. Brian Depies gave further explanation of the rezoning as the committee asked questions.

Jaske said she believes Supervisor Klein, who also is a member of City of Pewaukee Plan Commission, abstained from the final vote at the Plan Commission meeting. Does anyone know why? Depies said he wasn't sure except that Klein said he would take it up at the LUPE meeting. Mader asked if Klein's concerns were resolved. Depies said he really couldn't speak for Klein.

**Motion:** Kramer moved, second by Jaske, to approve Ordinance 160-O-039. **Motion carried 5 – 0.**

### **Consider Proposed Ordinance: 160-O-045 Amend the District Zoning Map of the Town of Brookfield Zoning Ordinance and the Waukesha County Shoreland and Floodland Protection Ordinance for the Town of Brookfield by Conditionally Rezoning Certain Lands Located in Part of the SW ¼ of Section 29, T7N, R20E, Town of Brookfield from the B-2 Local Business, B-3 General Business and C-1 Conservancy Districts to the R-3 Residential and C-1 Conservancy Districts (County) and from the B-2 Local Business, B-3 General Business and**

**C-1 Conservancy Districts to the RM-2 Multi-Family Residential District with a Planned Unit Overlay District (Town) (SZT-1562)**

Moore located the rezoning in the Town of Brookfield containing 18.37 acres. The proposed land use is for a residential condominium project containing 77 dwelling units, which has been revised to 52 pursuant to the county's conditions. Mader said this was originally held over when the committee considered the County Development Plan, and recently the resolution was approved so this is the natural outgrowth of that. Moore reviewed the Staff Recommendation of August 4, 2005 and said the Planning staff is recommending approval subject to three conditions. There is a PUD, which the Park and Planning Commission will see, so they will have to go through another public hearing.

Kramer left the meeting.

**Motion:** Cummings moved, second by Jaske, to approve Ordinance 160-O-045. **Motion carried 4 – 0.**

Kramer returned to the meeting.

**Consider Proposed Ordinance: 160-O-040 Amendments to the Text of the Town of Summit Zoning Code Pertaining to Maximum Building Height, Definitions of Accessory and Principal Structures, Provisions to the Accessory Building Location Regulations for Estate, Country, Town, Cottage and Duplex Residential Districts, Along with Amendments to Rezone Two Specific Properties Regarding the Riverline Subdivision and the Whitaker Lane Properties from the R-2 Country Residential District to the R-3 Town Residential District (ZT-1579)**

Moore said this is an amendment to the text of the Town of Summit zoning code. Moore reviewed the Staff Recommendation of August 4, 2005. The proposed changes were left out of the zoning code and are being corrected. The Planning staff is recommending approval.

**Motion:** Kramer moved, second by Stroud, to approve Ordinance 160-O-040. **Motion carried 5 - 0.**

**Consider Proposed Ordinance: 160-O-041 Amend the Text of the Town of Mukwonago Zoning Ordinance by Amending the Definition of Offset, Setback and Overhang and Providing a Special Exception Procedure for Accessory Structures (ZT-1580)**

Moore said this will amend the definition of offset, setback and overhang and provide a special exception procedure for accessory structures larger than those allowed under the accessory building table for each. The Planning staff is recommending approval.

**Motion:** Kramer moved, second by Stroud, to approve Ordinance 160-O-041. **Motion carried 5 - 0.**

**Consider Proposed Ordinance: 160-O-042 Amend the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance for the Town of Brookfield by Conditionally Rezoning Certain Lands Located in Part of the SW ¼ of Section 29, T7N, R20E, Town of Brookfield from the B-3 General Business District to the R-3 Residential District (SZT-1572)**

Moore noted the location and said ordinances 160-O-042 and 160-O-043 go together. The proposed land use is for a 37 to 40 unit condominium project on a 4.45 acre property. Ordinance 160-O-042

and 160-O-043 are being recommended for approval by the Planning staff subject to two conditions as detailed.

**Motion:** Cummings moved, second by Kramer, to approve Ordinance 160-O-042. **Motion carried 5 - 0.**

**Consider Proposed Ordinance: 160-O-043 Amend the District Zoning Map of the Town of Brookfield Zoning Ordinance by Conditionally Rezoning Certain Lands Located in Part of the SW ¼ of Section 29, T7N, R20E, Town of Brookfield from the B-2 Limited General Business District to the RM-2 Multi-Family Residential District with a Planned Unit Development Overlay District (SZT-1572)**

**Motion:** Cummings moved, second by Jaske, to approve Ordinance 160-O-043. **Motion carried 5 - 0.**

**Consider Proposed Ordinance: 160-O-044 Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map of the Town of Brookfield, for Certain Floodplain Areas and Tributaries in the Town of Brookfield (SZ-1527)**

Moore explained the issues and showed a colored map of the area. This is for modifications and updates to the 100-Year Floodplain along the Fox River, Poplar Creek, Deer Creek and tributaries thereto, located in the Town of Brookfield along with assignment of Zoning Districts for the areas of change. The Planning staff is recommending approval. Moore said the changes are subject to DNR and FEMA approval.

**Motion:** Jaske moved, second by Stroud, to approve Ordinance 160-O-044. **Motion carried 5 - 0.**

**Consider Proposed Resolution: 160-R-009 Amend the Regional Water Quality Management Plan for the City of New Berlin, Waukesha County, Wisconsin**

Moore said this is a sewer service amendment for the City of New Berlin. The area being added is 24 acres and is for the addition of a daytime population of 260 elementary school students and staff.

**Motion:** Kramer moved, second by Cummings, to approve Resolution 160-R-009. **Motion carried 5 - 0.**

**Consider Proposed Resolution: 160-R-010 Amend the Regional Water Quality Management Plan for the City of Muskego, Waukesha County, Wisconsin**

Moore said this is a sewer service amendment for the City of Muskego. It involves 33 acres and will accommodate an additional 40 to 50 housing units.

**Motion:** Cummings moved, second by Jaske, to approve Resolution 160-O-010. **Motion carried 5 - 0.**

**Motion to adjourn:** Kramer moved, second by Cummings, to adjourn the meeting at 10:20 a.m. Motion carried 5 – 0.

Respectfully submitted,

Pauline T. Jaske  
Secretary

/sm